



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OCT 17 2008

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Erik Johansen
Special Pesticide Registration Program Coordinator
WSDA Pesticide Management Division
P.O. Box 42560
Olympia, WA 98504-2560

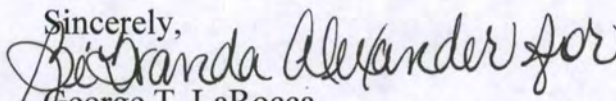
Subject: Special Local Need Registration (control root weevil and spruce spider mite
on Christmas tree plantation)
Brigade 2EC Insecticide/Miticide
EPA Registration No. 279-3313
EPA SLN No. WA070016
Your Submission Dated August 14, 2007

Dear Mr. Johansen:

This will acknowledge receipt of your notification dated August 14, 2007 to this Agency of amended registration, pursuant to section 24(c) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as follows:

| | |
|-----------------------|---|
| Product: | Brigade 2EC Insecticide/Miticide |
| EPA Registration No.: | 279-3313 |
| EPA SLN No.: | WA070016 |
| 24(c) Registrant: | FMC Corporation 10100 N Ambassador Dr., Suite 305 Kansas City, MO 64153 |

If you have any questions, please call BeWanda Alexander of my team at (703) 305-7460.

Sincerely,

George T. LaRocca
Product Manager 13
Insecticide Branch
Registration Division (7505C)

24(C) CHECKLIST

| | |
|------------------------------------|--------------------------------|
| STATE: <u>WASHINGTON</u> | SLN NO. <u>WA 07096</u> |
| DATE REGISTERED: <u>08-13-2007</u> | 90-DAY DATE: <u>11-13-2007</u> |
| SPECIFIC SPECIAL LOCAL NEED: _____ | SITE: _____ |
| _____ | PEST/PROBLEM: _____ |
| _____ | _____ |

1. Is the State certified to issue this type of registration? _____
2. Was the EPA Application/Notification Form submitted? _____
3. Was all the required information included on the form? _____
4. Was a confidential formula submitted (for new products)? _____
5. Is this registration for a "CHANGED USE PATTERN"? _____
6. Has an FR document been prepared for this "CHANGED USE PATTERN"? _____
7. Tolerances required? _____ Established? _____ Citation: _____
8. Full labeling being used? _____ Supplemental directions? _____
9. Does label state "FOR DISTRIBUTION AND USE ONLY WITHIN (State)"? _____
10. Does full label comply with 40 CFR 162.10, as follows:
- a. Product name, brand or trademark? _____
 - b. Name and address of registrant? _____
 - c. Net contents? _____
 - d. Product registration number? _____
 - e. Producing establishment number? _____
 - f. Ingredient statement? _____
 - g. Precautionary labeling? _____
 - h. Directions for use for special local need? _____
 - i. Use classification? _____
- Was proper format followed? _____

11. Is supplemental directions for use labeling satisfactory? _____
12. Was supplemental labeling compared with EPA-registered label? _____

COMMENTS: _____

RESTRICTED USE PESTICIDE

Toxic to fish and aquatic organisms.

For retail sale to and use only by certified applicators, or persons under their direct supervision and only for the uses covered by the certified applicator's certification.

EPA SLN NO.
WA-070016



FOR DISTRIBUTION AND
USE ONLY WITHIN THE
STATE OF WASHINGTON

Brigade[®] 2EC

Insecticide/Miticide

EPA REG. No. 279-3313

EMERGENCY CALLS: 800-331-3148

IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN A MANNER INCONSISTENT WITH ITS LABELING. FOLLOW ALL APPLICABLE DIRECTIONS, RESTRICTIONS, WORKER PROTECTION STANDARD REQUIREMENTS AND PRECAUTIONS ON THE EPA REGISTERED LABEL.

THIS LABELING MUST BE IN THE POSSESSION OF THE USER AT THE TIME OF APPLICATION.

| Crop | Pest | Rate of Application |
|---------------------------|-----------------------------------|----------------------------|
| Christmas Tree Plantation | Root Weevil Spruce Spider Mite | 3.9 to 6.4 ounces per acre |

Directions for Use:

Apply Brigade 2 EC at the rate of 3.9 to 6.4 ounces (0.06 to 0.1 lb. active) per acre. Apply in a minimum of 5 gallons of water per acre by air or in a minimum of 20 gallons of water by ground.

Restrictions / Precautions:

For use under this SLN label do not apply this product through any type of irrigation system.

Do not apply more than 6.4 ounces (0.1 lb. active) per acre per application. Do not make more than 2 foliar applications of bifenthrin (all products) per season. Maintain a minimum of 21 days between applications.

Do not apply by ground equipment within 25 feet, or by air within 150 feet of lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries, and commercial fish farm ponds.

Do not cultivate within 10 feet of aquatic area so as to allow growth of a vegetative filter strip.

This pesticide is extremely toxic to fish and aquatic invertebrates. Brigade 2EC should not be used under this SLN label where impact on listed threatened or endangered species is likely. You may refer to the WSDA Endangered Species Program web site at <http://agr.wa.gov/PestFert/EnvResources/EndangSpecies.htm>, or contact the Washington Department of Fish & Wildlife, National Marine Fisheries Service (NOAA Fisheries) or US Fish & Wildlife Service for information regarding aquatic species listed as threatened or



FMC Corporation
Agriculture Products Group
1735 Market Street
Philadelphia, PA 19103

Brigade2EC_24c_WA_ChristmasTree_08-13-07

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endangered. Consult the federal label for additional restrictions and precautions to protect aquatic organisms.

Brigade 2EC has demonstrated excellent plant safety. However, not all species and varieties have been tested. Prior to full scale application, treat a few plants for observation.

WSDA Container Disposal Guidance:

Pesticide containers must be properly cleaned prior to disposal. The best time to clean empty pesticide containers is during mixing and loading, because residue can be difficult to remove after it dries. Triple rinse (or pressure rinse) the pesticide container, empty all pesticide rinse water into the spray tank, and apply to a labeled crop or site. Recycling cleaned containers is the best method of container disposal.

Information regarding the recycling of empty and cleaned plastic pesticide containers in Washington is available on the WSDA Waste Pesticide Program web site at <http://agr.wa.gov/PestFert/Pesticides/WastePesticide.htm>. Cleaned containers may also be disposed of in a sanitary landfill, if permitted by the county. Burning is not a legal method of container disposal in Washington.

THIS LABEL FOR BRIGADE 2EC EXPIRES AND MUST NOT BE DISTRIBUTED OR USED IN ACCORDANCE WITH THIS SLN REGISTRATION AFTER DECEMBER 31, 2012.



FMC Corporation
Agriculture Products Group
1735 Market Street
Philadelphia, PA 19103

Brigade2EC_24c_WA_ChristmasTree_08-13-07

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1012.1.2011

1. SLN No. WA070016 2. PM 13 3. Action Code _____

4. State Issue Date

0 8 1 3 0 7

5. Date received by EPA

0 8 2 0 0 7

6. Date received by PM

7. Chemical name _____

8. Chemical code _____

9. Use _____

10. Reviews requested:

| | Date Sent | Due Date | Date Returned | Response Code | Response Date |
|---------------------|-----------|----------|---------------|---------------|---------------|
| HED | | | | | |
| EEB | | | | | |
| RCB | | | | | |
| EEB | | | | | |
| IB | | | | | |
| RD | | | | | |
| PM | | | | | |
| S | | | | | |
| Precaution Labeling | | | | | |
| Chemistry | | | | | |
| Efficacy | | | | | |
| | | | | | |
| | | | | | |

11. Status _____

12. FINAL ACTION Response code _____

Response date



United States Environmental Protection Agency
Office of Pesticide Programs
Registration Division (TS-767)
Washington, DC 20460

**Application for/Notification of State Registration
of a Pesticide To Meet a Special Local Need**
(Pursuant to Section 24(C) of the Federal Insecticide,
Fungicide, and Rodenticide Act, as Amended)


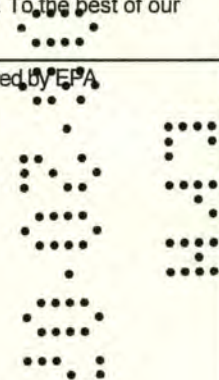
For State Use Only

Registration No. Assigned

WA-070016

Date Registration Issued

8/13/2007

| | | | | | |
|--|--|---|--|---|--|
| 1. Name and Address of Applicant for Registration FMC Corporation 10100 N Ambassador Dr., Suite 305 Kansas City, MO 64153 | | 2. Product Is (Check one) <input checked="" type="checkbox"/> EPA-Registered <input type="checkbox"/> New (not EPA-registered) <input type="checkbox"/> Attach EPA Form 8570-4, Certified Statement of Formula, for new products. | | EPA Registration Number 279-3313 EPA Company Number 279 | |
| | | 3. Active Ingredient(s) in Product Bifenthrin | | | |
| 4. Product Name Brigade 2EC Insecticide/Miticide | | 5. If this is a food/feed use, a tolerance or other residue clearance is required. Cite appropriate regulations in 40 CFR Part 180, 21 CFR Part 193, and/or 21 CFR Part 561. | | | |
| 6. Type of Registration (Give details in Item 12 or on a separate page, property identified and attached to this form): <input type="checkbox"/> a. To permit use of a new product. <input checked="" type="checkbox"/> b. To amend EPA registrations for one or more of the following purposes: <input type="checkbox"/> (1) To permit use on additional crops or animals. <input checked="" type="checkbox"/> (2) To permit use at additional sites. <input type="checkbox"/> (3) To permit use against Additional pests. <input type="checkbox"/> (4) To permit use of additional application techniques or equipment. <input type="checkbox"/> (5) To permit use at different application rates. <input type="checkbox"/> (6) Other (specify below) | | 7. Nature of Special Local Need (Check one) a. <input type="checkbox"/> There is no pesticide product registered by EPA for such use. b. <input checked="" type="checkbox"/> There is no EPA-registered pesticide product which, under the conditions of use within the State, would be as safe and/or as efficacious for use within the terms and condition of EPA registration. c. <input type="checkbox"/> An appropriate EPA-registered pesticide product is not available. | | | |
| | | 8. If this registration is an amendment to an EPA-registered product, is it for a "changed use pattern" as defined in 40 CFR 162.3(k)? <input type="checkbox"/> Yes (discuss in item 12 below) <input checked="" type="checkbox"/> No | | | |
| | | 9. Has an EPA Registration or Experimental Use Permit for Use of this chemical ever been: (Check applicable box(es)) <input checked="" type="checkbox"/> Sought <input checked="" type="checkbox"/> Issued <input type="checkbox"/> Denied <input type="checkbox"/> Canceled <input type="checkbox"/> Suspended Previous Permit Action: <input type="checkbox"/> Registration <input type="checkbox"/> Experimental Use Permit <input type="checkbox"/> No Previous Permit Action | | | |
| 10. Has a FIFRA Section 24(C) registration for this use of the product ever, by another State been (Check applicable box(es)) <input type="checkbox"/> Sought <input checked="" type="checkbox"/> Issued <input type="checkbox"/> Denied <input type="checkbox"/> Revoked If any of the above are checked, list States in item 12 below. <input type="checkbox"/> No FIFRA Section 24(C) Action | | 11. Endangered Species Act- (Give details in Item 12 or on a separate page, properly identified and attached to this form) Identify the counties where this pesticide will be used. If Statewide, indicate "all." Provide a list of Federally protected endangered/threatened species which occur in the areas of proposed use. | | | |
| Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law. | | 12. Comments (10) This 24(c) is a Me-Too to the Capture 2EC SLN No. WA-930005 (11) All Counties in Washington where Christmas trees are grown. | | | |
| Signature of Applicant or Authorized Representative Don Johnson <i>Don Johnson</i> Title State Registration Manager Telephone Number (816) 801 - 5613 Date February 16, 2007 | | | | | |
| Determination by State Agency This registration is for a Special Local Need and is being issued in accordance with section 24(c) of FIFRA as amended. To the best of our knowledge, the information above is correct, except as noted in "Comments" below or in attachments. | | | | | |
| Name, Title, and Address of State Agency Official  Title <i>[Signature]</i> Telephone Number (360) 902-2078 Date 8/14/2007 | | Comments (by State Agency Only) <i>Non-food and non-feed use.</i> | | Received by EPA  | |



STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE

PO Box 42560 • Olympia, Washington 98504-2560 • <http://agr.wa.gov> • (360) 902-1800

CERTIFIED

August 14, 2007

Document Processing Desk (SLN)
Office of Pesticide Programs – 7504 P
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

RE: EPA SLN Reg. No. WA-070016

Enclosed is Washington Special Local Need (SLN) registration number WA-070016 issued to FMC Corporation for the use of Brigade 2EC (EPA Reg. No. 279-3313) on Christmas tree plantations to control root weevils and spruce spider mites. This registration was issued under authority of Section 24(c) FIFRA.

This is a "me-too" SLN registration and is being issued as an eventual replacement for WA-930005. The SLN label is essentially identical to WA-930005, except that the maximum number of applications per season has been reduced from 3 to 2. The reduction in the maximum number of applications is intended to help address pest resistance and potential aquatic toxicity concerns.

WSDA has issued this SLN registration with an expiration date of December 31, 2012.

If you have any questions, please contact me at (360) 902-2078 or by e-mail at ejohansen@agr.wa.gov.

Sincerely,

PESTICIDE MANAGEMENT DIVISION

Erik W. Johansen

Special Pesticide Registration Program Coordinator

enclosure

cc: Jane Thomas, WSU

cc: Doug Walsh, WSU

Don Johnson, FMC Corporation





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

August 21, 2007

OFFICE OF
PREVENTION, PESTICIDES AND

WSDA
Pesticide Management Division
Olympia, WA 98504-2589

ATTN: Erik W. Johansen, Specialist

Dear State Agency:

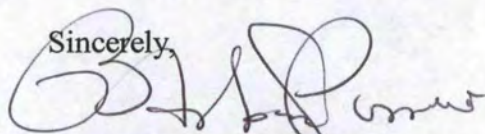
The Office of Pesticide Programs acknowledges receipt of the Section 24(c) application/notification for WA070016.

The package is being forwarded to the Product Manager for review.

To ensure that the Agency receives proper notification of your 24(c) applications/notifications it is necessary to us the correct mailing address. All new 24(c) applications should be sent to the following:

Document Processing Desk (SLN)
Office of Pesticide Programs -7504P
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

If you have any questions concerning the administrative screening of the package please contact the Front End Unit at (703)305-5780.

Sincerely,


Front End Processing Staff
Information Services Branch
Information Technology & Resources Management Division